

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARRIN HUGHES,
Petitioner,

v.

RANDY GROUNDS, Warden,
Respondent.

No. C 15-00040 BLF (PR)

**ORDER DENYING MOTION FOR
CERTIFICATE OF APPEALABILITY**

(Docket No. 13)

Petitioner, a California prisoner, filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his state conviction. On January 29, 2016, the Court granted Respondent's motion to dismiss the petition as untimely. (Docket No. 11.) In the same order, the Court denied a certificate of appealability based on the following: "Petitioner has not shown 'that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.'" (*Id.* at 8, citing *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).) Accordingly, Petitioner's recently filed application for certificate of appealability, (Docket No. 13), is DENIED. (*See* Docket No. 11 at 8.)

This order terminates Docket No. 13.

IT IS SO ORDERED.

DATED: April 5, 2016


BETH LABSON FREEMAN
United States District Judge